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OFFICE OF PETITIONS

In re Application of
Casaccia, et al.
Application No. 09/853,322
Filed: May 10, 2001
Docket No.: PA010317

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: DECISION ON PETITION
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This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed March 16, 2007.

This application was held abandoned for failure to timely submit an appeal brief in response to the Notice of Appeal submitted September 12, 2006. Notice of Abandonment was mailed March 12, 2007.

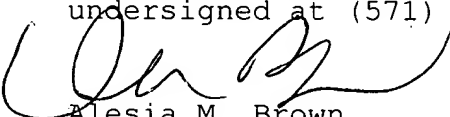
A review of the record reveals that a Notice of Appeal was properly filed September 12, 2006. The appeal brief was due two months thereafter, the period of time being extendible under 37 CFR 1.136. Thus, the period of time for submission of the appeal brief (or other proper reply) was extendible to on or before April 12, 2006. Notice of Abandonment was prematurely mailed March 12, 2007.

Petitioners' arguments have been carefully considered and found convincing. In view of the arguments submitted, the petition to withdraw the holding of abandonment is hereby GRANTED.

The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

The application file is being forwarded to Technology Center 2600 for further processing of the request for continued examination (RCE) submitted March 16, 2007.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.


Alesia M. Brown
Petitions Attorney
Office of Petitions